

## **REMARKS/ARGUMENTS**

### **I. STATUS OF THE PENDING CLAIMS**

Claims 10-29 are pending in the application, all rejected.

Following entry of the amendment requested above, independent claims 10 and 25-28 have been amended. All amendments are supported by the specification and none of the amendments add new matter.

### **II. REJECTION UNDER 35 U.S.C. § 102(b)**

Claims 10-11, 13-17, 19, 21, 23 and 26-29 stand rejected under 35 U.S.C. 102(e) as anticipated by U.S. Patent No. 6,243,468 to Pearce ("Pearce").

Independent claims 10 and 26-28 have been amended to more distinctly point out that the present invention permits control of authorization to use software only with a system having access to a code that is readable and not writeable -- and that therefore cannot be copied for use elsewhere -- but to deny authorization to use of software lacking such access.

As presently presented, the claimed methods and systems according to the present invention permit the control of authorization to use software with a system, such as a computer system, provided that system has access to a unique hardware identification code from a computer-readable data medium associated with the system, where the code is accessed from a portion of the data medium that is readable but not writeable. Among other advantages, and as recited, the authorization to use the software component is allowed for the computer system associated with the computer-readable data medium and not allowed for a second computer system not associated with the computer-readable data medium having the unique hardware identification code accessed from a portion of the data medium that is readable but not writeable.

Pearce does not disclose or suggest the invention as set forth in claims 10 and 26-28, as presently pending, nor, therefore, as set forth in dependent claims 11, 13-17, 19, 21, 23 and 29. These claims are therefore submitted to be patentable.

### III. REJECTIONS UNDER 35 USC 103(a)

Claims 12, 18 and 24 stand rejected under 35 U.S.C. 103(a) over Pearce, claim 20 is rejected on the same grounds over Pearce in view of U.S. Patent No. 6,523,119 to Pavlin ("Pavlin"), and claims 22 and 25 have been rejected on these grounds over Pearce in view of U.S. patent No. 5,781,723 to Yee ("Yee").

As with the other claims that depend from claim 10, and for the same reasons, claims 12, 18, 20, 22 and 24 are submitted to be patentable.

Claim 25, too, has been amended in a manner analogous to independent claims 10 and 26-29, and is submitted to distinguish over the art of record for similar reasons. Neither Pearce nor Yee, whether alone or in combination, discloses or suggests the invention as recited in claim 25 as now amended.

For these reasons, claims 12, 18, 20, 22, 24 and 25 are submitted to be patentable.

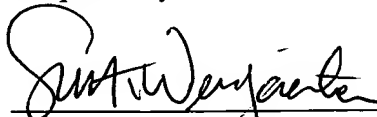
### IV. CONCLUSION

Upon entry of the Preliminary Amendment and this Amendment, claims 10-29 are pending in the application. Applicants submit that all of the pending claims, for the reasons set forth above, recite patentable subject matter and are now in condition for allowance. Reconsideration and allowance are therefore respectfully requested.

Other than as specified in the first paragraph of this communication, no fee is believed to be due in connection with this communication. However, if such additional fee is required, the Commissioner is authorized to charge the fee to Deposit Account No. 23-1703.

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Respectfully submitted,



Scott T. Weingaertner  
Reg. No. 37,756  
Attorney for Applicant

Customer No. 007470  
White & Case LLP  
Direct Line: (212) 819-8404